

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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| UNITED STATES OF AMERICA,        | ) |
|                                  | ) |
| v.                               | ) |
|                                  | ) |
| MOHAMMED ABDUL RASHEED QURAISHI, | ) |
| MOHAMMED ABDUL QAYIUM QURAISHI,  | ) |
| MOHAMMED ABDUL AZIZ QURAISHI,    | ) |
|                                  | ) |
| Defendants.                      | ) |
|                                  | ) |

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**EMERGENCY MOTION FOR EARLY RELEASE  
OR, IN THE ALTERNATIVE, FOR TEMPORARY RELEASE**

Defendants Mohammed Abdul Aziz Quraishi (“Aziz”) and Mohammed Abdul Qayium Quraishi (“Farees”) respectfully move this Court, on an emergency basis, for an early release from prison to visit their dying mother and administer her last rites. Aziz and Farees have served approximately seven (7) months of a ten (10) month sentence at a federal prison in Texas. In light of their dire family circumstances, they respectfully request an early release so that they can visit with their mother during her final days and, if possible, perform her last rites. In the alternative, they respectfully request a temporary release from prison pursuant to 18 U.S.C. § 3622. In support of this motion, Aziz and Farees state as follows:

1. On November 18, 2004, Aziz and Farees pled guilty to Encouraging and Inducing Aliens to Come to, Enter and Reside in the United States in violation of Law, in violation of 8 U.S.C. §1324(a)(1)(A)(iv) and 18 U.S.C. § 2 and Witness Tampering, in violation of 18 U.S.C. § 1512(b)(3). Aziz was sentenced on April 10, 2007 to ten (10) months in the Bureau of Prisons (BOP), twenty-four (24) months of supervised release, a

six-thousand dollar (\$6,000) fine and a one-hundred dollar (\$100) special assessment. Farees was sentenced on April 10, 2007 to ten (10) months in the BOP, twenty-four (24) months of supervised release, a three-thousand dollar (\$3,000) fine and a two-hundred dollar (\$200) special assessment. Aziz and Farees are currently serving their BOP sentences at FCI Big Spring, Texas. They are scheduled for release on March 10, 2005.

2. In or around April 2007, Aziz's mother, Razia Sultana, who lives with Aziz's family in Stoughton, Massachusetts, was diagnosed with advanced and inoperable endometrial cancer. Mrs. Sultana has been undergoing chemotherapy and other treatments at Massachusetts General Hospital in Boston.

3. Mrs. Sultana's medical condition has severely deteriorated. Her doctor has informed her family that she has mere days to live. See Letter from David Reichman, M.D. dated December 6, 2007, attached hereto as Exhibit A.

4. In recognition of her grave condition and impending death, Mrs. Sultana has been transitioned to hospice and palliative care. Id. She is no longer receiving chemotherapy, and all medical efforts at this point are focused on making her final days as comfortable and painless as possible. Id. Her family expects her death any day.

5. Mrs. Sultana's final wish is to see her sons one last time before she dies and to have her sons perform her last rites, which is customary and traditional in the religion of Mrs. Sultana's family.

6. Accordingly, Aziz and Farees respectfully request that this Court grant them an early release from prison to provide them with the opportunity to be with their mother during her final days of life.

7. Alternatively, if this Court is not inclined to grant Aziz and Farees an early release, Aziz and Farees respectfully seek a temporary release from prison pursuant to 18 U.S.C. §3622. 18 U.S.C. § 3622 authorizes the Bureau of Prisons to release a prisoner for a limited period of time to visit a dying relative or attend a funeral of a relative if the release: (1) appears to be consistent with the purpose for which the sentence was imposed; (2) is consistent with the public interest; and (3) there is reasonable cause to believe the prisoner will honor the trust to be imposed in him. See 18 U.S.C. §3622(a)(1)-(2).

8. The immigration violation to which Aziz and Farees pleaded guilty involved their role in facilitating the ability of a few individuals, who entered the United States lawfully, to remain in the country during periods when they were out of work and in search of employment. Except for the aberrant lapse of judgment that led to the offense conduct, a mistake for which they have taken full responsibility, Aziz and Farees have led honest, law-abiding and responsible lives in the United States, as loving fathers, husbands, sons and successful businessmen.

9. Aziz and Farees simply desire to see their mother one last time before she dies and perform her last rites. Aziz and Farees fully complied with all conditions of pretrial release during the thirty (30) month period between their arrest and the date they voluntarily reported to FCI Big Spring. There is no reason to believe they will fail to abide by the conditions of release imposed by this Court if they are granted either an early release or a temporary release.

10. Undersigned counsel has spoken with Assistant U.S. Attorney Kimberly West about the requested relief. AUSA West has indicated that the Government assents to the request for temporary release but objects to the request for early release.

WHEREFORE, Defendants Mohammed Abdul Aziz Quraishi and Mohammed Abdul Qayum Quraishi respectfully request that this Court:

- (1) Grant them an early release from prison so that they may visit their mother before she dies and administer her last rites; or in the alternative,
- (2) Grant them a temporary release pursuant to 18 U.S.C. §3622; and
- (3) Grant such other relief as is just and equitable.

Respectfully submitted,

COUNSEL FOR AZIZ QUARAISHI,

/s/ Laura B. Angelini

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Dated: December 28, 2007

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of December, 2007, this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Laura B. Angelini



MASSACHUSETTS  
GENERAL HOSPITAL

Boston, Massachusetts 02114-2696

MGH Mail Address:

12/6/07

To Whom It May Concern:

I write to update you on the medical condition of Razia Sultana, who was recently admitted to Massachusetts General Hospital in worsening clinical condition from her metastatic endometrial cancer. Chemotherapy has failed to stop her disease process, and she has somewhere on the order of days or weeks to live. We are now involving the pain and palliative care service, and discussions are being entered to transition the patient to hospice, where medical attention will be turned only to comfort. We would appreciate your consideration in possibly allowing her sons to travel to see her, given her grave, terminal condition and worsening, irreparable situation.

Sincerely,

  
David Reichman, MD  
Massachusetts General Hospital  
Gynecologic Oncology Division



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